

REMARKS

Claim 58 is amended.

Claims 36-73 remain present in this case.

Restriction has been required from among the following identified claim groupings:

- 1) Group I: claims 36-59, drawn to a transgenic animal, a targeting vector and an ES cell containing the vector;
- 2) Group II: claims 60-61, drawn to a method for preparing humanized IgA antibodies using a transgenic animal;
- 3) Group III: claims 62-66, drawn to a humanized IgA antibody;
- 4) Group IV: claim 67, drawn to an immunogenic composition comprising an IgA antibody combined with an antigen;
- 5) Group V, claims 68-69, drawn to a composition comprising an IgA antibody and an active ingredient, and a method for preparing the composition;
- 6) Group VI, claims 70-72, drawn to a method for treating infectious disease; and
- 7) Group VII, claims 70, 71 and 73, drawn to a method for treating cancer.

In reply, Applicants provisionally elect with traverse to prosecute the claims of Group I, i.e., claims 36-59.

However, Applicants deem the requirement to be unwarranted inasmuch as this application is a §371 application, which entered the U.S. national stage from PCT/FR2004/002701. As such, any basis for partitioning claims for examination must be based upon the “lack of unity” standard applied under PCT Rules 13.1 and 13.2. These rules were not applied in this case, and they should have been.

Rather, the examiner has applied the U.S. restriction tests under MPEP 806 et seq.

Rather, the examiner has applied the U.S. restriction tests under MPEP 806 et seq.

Clearly, since there is no prior art of record that would impeach the novelty or unobviousness of any claimed aspect of the present invention, Applicants must conclude that there is ‘unity of invention’ for all claimed aspects of the present invention.

Additionally, even assuming, arguendo, that the tests of MPEP 806 et seq. were applicable, the examiner has not met the test of MPEP 803, required to show that a search of all identified aspects of a claimed invention would constitute a “serious burden.” Hence, the requirement for restriction would be improper for this reason as well.

COMPLIANCE WITH SEQUENCE LISTING REQUEST

GenBank AC073553, referred to in claim 58 and at page 13, lines 11-12 of the specification as filed, is the sequence of mouse chromosome 12, which is 187,523 bp.

In view of the size of this sequence, Applicants chose to incorporate in the sequence listing the sequences of the 5' and 3' fragments (each about 5kb) which are described in claim 58. These fragments correspond to positions 131281 to 136441 and 140101 to 145032, respectively of GenBank AC 073553 (see Annices 1 and 2 attached). They have, instead, now been incorporated as SEQ ID NO: 7 (5' fragments) and SEQ ID NO: 8 (3' fragments).

Accordingly, it is urged that the requirement for restriction be withdrawn and that a search and examination of all claimed aspects of the present invention proceed without further delay.

Mail Stop AMENDMENT
Attorney Docket No. 40521U

Favorable consideration is earnestly solicited.

Respectfully submitted,

THE NATH LAW GROUP



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Customer No. 20529

Date: July 1, 2009

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WEB/get

<pre> /chromosome="12" /clone="RP23-270B12" /clone_lib="RPCI-23" </pre> <p>ORIGIN</p> <pre> 1 acaggcctga gagaacagac tctggaaata gatgggactt acggagctaa gatctagagc 61 tcatctacag agcagaatcc cagccaaagag aacaaagaat actgactctc tcctgttccc 121 tactcctaga gttctaaaac acactatagg gaagggagcc tctagaccc tcgtccattcc 181 ccatcttgc cattccatct tcccatgtcc ccaggtctcc aagccacaga caccaccc 241 cctattcacc cacctttctg tgcctcagg tccccaggcc atagtcacct cccccccacac 301 cccgctcacc ctgccccatc tatgccccta gatgcttact taccagagt ttttgtctga 361 cgtggggcta caagcatcta tgctccctaa gcacctactg ctgacctgta ggacccagct 421 ctgaaaccaac tcatataagt aaatacagac tctccctgtt cttaggatgg cccctgggt 481 caggaggaga ccactgccaa ggaacccctt cttagagcac tgaactctc ccctgtacca 541 cttaggacag acctgagacc tattattact cacccatgg gctctggcag tgaccacgg 601 ggagatagat ccaccctgga cacagaaac acagcaccag gatatactgt tcatacacaac 661 agtagagtga cacttagac ttaatttgg gtcactttcc tgctgttagag gtgggatcg 721 aaagcaaaga gcaagtatgag tgcctgatag gcacccaaatg acactataga gtactcatgg 781 tgaataaggt acctccatgg cttcccaagg aggggcactg ccccacccccc accatcacag 841 accttctcc atagttgata actcagacac aagtgaatga cagatggacc tccatctgct 901 cttatTTaa aaagaagaca aaccccacag gctcgagaac tttagcgact gttttgagag 961 aaatcattgg tccctgactc aagagatgac tggcagattt gggatcgaaa tacccatact 1021 ctgtggctag tggaggttt aagcctcaga gtcctgtgg tctctgactg gtcaagggtt 1081 ttgactaagc ggagcaccac agtgcataact gggaccacgg tgacacgtgg ctcaacaaaa 1141 acctctgtt tggagctctc caggggcagc ctgagctatg aggaagtaga gaggcttgag 1201 aaatctgagg aaaaaaaagag tagatctgag agggaaaggta gctttctgaa ggtcaggaga 1261 cagtgcagag aagaacgagt tacttggac aggtctttaga tggggaaaga atgagcaaat 1321 gcaagcatca gaagggtgga tgcaatgtcc tgccaaggac ttaccaagag gatccccgg 1381 cagagcaggc aggtggaggta gactgagagg acaggatagg tgcaaggccc tctttgttt 1441 ccttctcct tctctgttt cttcttctc ttgtcacagg tctcaatctg ctagccaagg 1501 ctggcctgaa agattaccat cttacagatg gggccatcca gttgaattaa ggtggagatc 1561 tctccaaaca tctgatgttt tgaggcttgg atgcccactgg ggacgccaag ggactttgg 1621 atgggttgg ttggcccccag atgaagggtc acttcaatgg tctataatt actctgatgt 1681 cttaggaccag ggggctcagg tcactcaggc caggtgagtc ctgcattctgg ggactgtgg 1741 gttcaggctgg cctaaggcaag gatgtggaga gagtttttagt ataggaacag aggccagaaca 1801 gagactgtgc tacttggact tcgatgtctg gggcacaggg accacggta ccgtctcc 1861 aggttaagctg gtttttttct ttcgtcacat tccattctga aacggaaaa gatattctca 1921 gatctccccca tgcaggccaa tctgccccacac tctgcacatgc gcagaagctt ttctgttaagg 1981 atagggttctt cactcccagg aaaagaggca gtcagaggct agtgcctgtt ggaacagtga 2041 caatcatgga aataatggcat ttacattgtt aggtctatgg ggttagatggg tttttgtaca 2101 cccactaaag ggttctatgta tagtgcactt actttgacta ctggcccaaa ggcaccactc 2161 tcacagtctc ctcaggtagg tcccttacac ctctcttc tattcagtt aaatagattt 2221 tactgcattt gttggggggg aaatgtgtt atctgaattt caggtcatga aggacttaggg 2281 acacccctggg agtcagaaag ggtcattttgg agccctggct gacgcagaca gacatcctca 2341 gctcccaatac ttcatggccaa gagattata gggatcttgg ccagcatgc cgctaggccc 2401 ctctttctca tgctttctt gtccttcaactt ggcctccatc tgagatcata ctggagccct 2461 agccaaggat catttattgt caggggtcta atcattttttc tcacaatgtg cctgtttgc 2521 ttactggggc caagggactc tggtaactgt ctctgcagggt gaggcttaac ttctccctt 2581 ctaaatgtcat gttggggggg ttctggcct tcaggaccaa gattctctgc aaacgggaat 2641 caagattcaa cccctttgtc ccaaaggta gacatgggtc tgggtcaggg actctctgccc 2701 tgctggctg tggtagatc agaactgaaatgatgatgaaatg gatctgcagg aactgaagct 2761 tgaatgtca ggcagaatct tgcctcagggt ctatcgactt ctgtgagaa tttagggctg 2821 acagggtatg tgacaaattt cagggtagt gactgtctgg ttctctgag gtggaggctgg 2881 aataatggctt accttgcaga aataaagggg gtcctggccct tctctgcacag gcaggaaaca 2941 gaatgtggaa caatgactt aatgggtatg tcttgcgtgaa caccaggaaat tggcataatg 3001 tctgagggtc ccagggtgaa ttctagtcactt gttttttttt gatctgcagg aactgaagct 3061 aaatccacta ttgtgattac tatgctatgg actactgggg tttttgtggg tataagggaa 3121 tctccctcagg taagaatggc ctctccaggat tttttttttt tcaaggaaacc tcagtcaccg 3181 ctgagcattt cagactaattt ttggatattt gtccttgcagg aacccctttt atggagttt 3241 ggaataaaac tgcaggatggc ttcaggagcc tttaggacatc gaggccgtt agagaaggat 3301 aaactaagaa tctgtgtat ggtgtggg gatccctgg atgatggat agggactttt 3361 gaggctcatt tgaagaagat gctaaacaa tcctatggct ggagggatag ttggggctgt 3421 agttggat ttcgtatggat tagaataaaa gtatttagt gatggatatac ttccaggac 3481 cctctgtgac agcatttata cagttccga tgcataaggaa caaaggatgg agtggggcac 3541 tttctttaga ttgtgaggaa atgttccgca cttagattttt taaaacttca tttttttggaa </pre>	<p>Assembly</p> <p>Full text in PMC</p> <p>Gene</p> <p>GeneView in dbSNP</p> <p>Taxonomy</p> <p>Related Sequences</p> <p>Map Viewer</p> <p>UniSTS</p> <p>LinkOut</p>
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Showing 4.93kb region from base 140101 to 145032.

GenBank: AC073553.5

Mus musculus strain C57BL/6J chromosome 12 clone RP23-270B12, complete sequence

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LOCUS AC073553 4932 bp DNA
 linear ROD 24-SEP-2002
 DEFINITION Mus musculus strain C57BL/6J chromosome 12
 clone RP23-270B12,
 complete sequence.
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 VERSION AC073553.5 GI:23306144
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 SOURCE Mus musculus (house mouse)
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 Eukaryota; Metazoa; Chordata; Craniata;
 Vertebrata; Euteleostomi;
 Mammalia; Eutheria; Euarchontoglires;
 Glires; Rodentia;
 Sciuromorpha; Muroidea; Muridae; Murinae;
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 Center: Mouse Genome
 Sequence Data
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 AUTHORS Smith, D.R.
 TITLE Direct Submission
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Annex 2

Nucleotide

Change Region Shown

Whole sequence
 Selected Region
 from: to:

Customize View

Sequence Analysis Tools

BLAST Sequence

Find regions of similarity between this sequence and other sequences using BLAST.

Pick Primers

Design and test primers for this sequence using Primer-BLAST.

Recent Activity

Mus musculus strain C57BL/6J

AC073553 ([Nucleotide](#))

All links from this record

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